

TIMOTHY S. CORY, ESQ.
Nevada Bar No. 1972
DURHAM JONES & PINEGAR
10785 West Twain Avenue
Suite 200
Las Vegas, Nevada 89135
Telephone (702) 870-6060
tcory@djplaw.com
Attorneys for the Debtor

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

IN RE:

BUYERS ONLY REAL ESTATE
AGENCY, LLC,

Debtor.

Case No. 12-23519-BAM

Chapter 11

Hearing Date: June 18, 2013

Hearing Time: 10:00 a.m.

APPLICATION TO EMPLOY SPECIAL COUNSEL

TO: THE HONORABLE BANKRUPTCY JUDGE, U.S. BANKRUPTCY COURT FOR THE
DISTRICT FOR NEVADA:

BUYERS ONLY REAL ESTATE AGENCY, LLC., the Debtor in Possession in the above-captioned bankruptcy proceeding (the "Debtor"), hereby applies to the Court for an Order approving Debtor's Application to Employ Special Counsel. This Application is brought pursuant to Section 327 of title 11 of the United States Code (the "Bankruptcy Code"), Rule 2014 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and Section 2 of the guidelines of the U.S. Department of Justice of the United States Trustee – North and Eastern Districts of California and District of Nevada, (the "Guidelines").

I. GUIDELINES SECTION 2.1 – COMPLIANCE

Pursuant to Guidelines Section 2.1 and Bankruptcy Rule 2014, a copy of this Application for approval of employment of special counsel under 11 U.S.C. § 327 and Bankruptcy Rule 2014, the Verified Statement accompanying this Application and the form of the order (a copy of which

is attached hereto as Exhibit A) sought herein is being served on the United States Trustee contemporaneously with the filing of this Application with the Bankruptcy Court.

II. PROFESSIONAL PERSONS TO BE EMPLOYED - STATEMENT RE: DISINTERESTED PERSONS

The Debtor wishes to employ the law firm of Reade & Associates, Attorneys admitted to practice in the State and Federal courts of Nevada, as special counsel for the Debtor to pursue a State Court action to complete Arbitration in Case Number: A-09-588907-C, Dept XV; Judicial Arbitration and Mediation Services, Inc. ("JAMS") Case Number 1260001934. Bankruptcy Rule 2014(a).

To the best knowledge of Applicants, said professional persons do not hold or represent an interest adverse to the above-captioned bankruptcy estate, and are disinterested persons. 11 U.S.C. § 327(a).

III. STATEMENT OF NECESSITY FOR EMPLOYMENT OF PROFESSIONAL PERSONS

It is necessary for employment of Special Counsel for whom employment is sought by this Application inasmuch as the Debtor requires professional assistance in the areas, identified hereinafter, where service is to be rendered in this case. Bankruptcy Rule 2014(a); Guidelines Section 2.1.1.

IV. STATEMENT OF SCOPE OF PROFESSIONAL SERVICE TO BE RENDERED

The Debtor, in compliance with *In re Garcia*, 335 B.R. 717 (9th Cir BAP 2005), believes it is necessary and in the best interest of the estate to employ Reade & Associates for the following purpose:

1. To complete Arbitration regarding an Application for Order to Show Cause and to Remove and Expunge Frivolous & Excessive Lien Pursuant to NRS 108.2275 and Order for

Hearing to Show Cause in Clark County District Court Case No.: A-09-588907 that was filed by the Debtor on April 27, 2009. On May 9, 2012 a hearing took place in which the District Court ordered the parties to arbitrate the matters staying Debtor's motion pending the outcome of arbitration. An Order was then filed on June 4, 2012.

V. STATEMENT OF REASONS FOR SELECTING PROFESSIONALS

The Debtor has selected Reade & Associates for the reason that said professional persons have had considerable experience in matters of this character, and the scope of professional services to be rendered, and for the reasons that the Debtor believes that Reade & Associates are well qualified to represent the Debtor as counsel in the State Court and JAMS proceedings, and that the employment of said firm would be in the best interest of the estate. Bankruptcy Rule 2014(a).

VI. STATEMENT RE: TERMS OF EMPLOYMENT AND PROPOSED ARRANGEMENT FOR COMPENSATION

1. Disclosure of amount and Source of Retainer or Advance Received (11 U.S.C. § 329(a), Bankruptcy Rules 2016(a) and 2016(b), Guidelines 2.2.1): NONE

2. Terms and Conditions of Employment Agreement: 11 U.S.C. § 328(a) authorizes the Debtor, with Court approval, to employ said professional persons "on any reasonable terms and conditions of employment, including on retainer, an hourly basis, on a fixed or percentage fee basis, or a contingent fee basis." 11 U.S.C. § 328(a). Bankruptcy Rule 2014(a).

3. Current Hourly Rates Charged by Professionals, and Other Charges (Guidelines Section 2.1.2.): the hourly rates to be charged by professional person expected to render services pursuant to this Application are as follows:

Senior Partner \$250.00

Associates \$200.00

Law Clerks \$120.00

Paralegals \$100.00

Other charges that may be considered in an application for compensation include, but are not limited to:

- a. Messenger service;
- b. Postage and delivery;
- c. Process service and investigator charges;
- d. Copy charges;
- e. Computer research and word processing charges;
- f. Travel expenses;
- g. Miscellaneous expenses necessarily incurred in connection with the scope of services to be performed. Guidelines Section 2.1.2.

VII. STATEMENT RE: PAYMENTS MADE AND SHARING COMPENSATION

To the best knowledge of the Debtor, no payments have heretofore been made or promised to said professional persons for services to be rendered in any capacity whatsoever in connection with this case, and no agreement or understanding exists between said professional persons and any other entity for the sharing of compensation to be received for services rendered in connection with this case. Bankruptcy Rule 2016(a). Guidelines Sections 2.1.

VIII. PROFESSIONAL DISCLOSURE (GUIDELINES SECTION 2.1.4)

This Application is accompanied by a Declaration/Verified Statement showing that the professional persons comply with the requirements of 11 U.S.C. §§ 327, 329 or 1103(b) and Bankruptcy Rules 2014, 2016 and 5002, and setting for the professional persons' connections with the Debtor, creditors and any other party in interest and their respective attorneys and accountants. To the best of the Debtor's knowledge, said professional persons have no other connections with the Debtor except as shown in the Affidavit of R. Christopher Reade filed concurrently herewith, creditors or any other party in interest, their respective attorneys and accountants, which

1 connection may constitute a conflict of interest or adverse position with respect to the scope of the
2 services to be rendered by said professional persons in the above-captioned bankruptcy case.

3 Bankruptcy Rule 2014(1). Guidelines Section 2.1.4.

4 WHEREFORE, the Debtor respectfully requests that this Application be granted and
5 approved, and that the Debtor be authorized to employ and appoint Reade & Associates as Special
6 Counsel for the Debtor in the above-captioned bankruptcy case.

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8 Dated this 9th day of May, 2013.

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12 Cliff Evarts for the Debtor
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